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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

12 SECURITIES AND EXCHANGE COMMISSION, Case No. C-06-2239 JF (PVT)  
13 Plaintiff,  
14 v.  
15 THOMAS A. SKOULIS and PETER M. FRANKL,  
16 Defendants.  
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**STIPULATION AND PROPOSED ORDER  
TO CONTINUE DATE FOR FURTHER  
CASE MANAGEMENT CONFERENCE**

**Date:** June 8, 2007 (currently scheduled)  
July 13, 2007 (proposed new date)  
**Time:** 10:30 a.m.  
**Place:** Courtroom 3, 5<sup>th</sup> Floor

20 Securities and Exchange Commission (“Commission”) and defendants Thomas A. Skoulis  
21 and Peter M. Frankl (collectively, “the parties”), by and through their respective counsel, hereby  
22 agree and stipulate as follows:

**23 || WHEREAS:**

24       1. On April 6, 2007, the Court held a further Case Management Conference in this  
25 case, during which the parties in attendance informed the Court of progress in settlement, due to  
26 the referral of this matter to Magistrate Judge Trumbull for a settlement conference conference  
27 held on February 9, 2007. The Court also set the trial date for January 18, 2008.

2. Since the last CMC, the Commission has received an offer of settlement from Defendant Frankl, which is currently pending the Commission's determination as to whether to accept or reject based on the recommendation of the Commission's counsel.

3. In addition, counsel for the Commission's and for Defendant Skoulis are continuing to discuss the potential for settlement and believe that the additional proposed time before the next CMC would permit for counsel to better inform the Court of the likelihood for settlement.

## STIPULATION:

4. The parties therefore stipulate that the Case Management Conference currently scheduled for June 8, 2007 should be moved to July 13, 2007, or as soon thereafter as the Court's schedule will permit.

## IT IS SO STIPULATED:

DATED: May 29, 2007 Respectfully Submitted,

Respectfully Submitted,

/s/

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Susan F. LaMarca

## SECURITIES AND EXCHANGE COMMISSION

/s/

By Steven R. Manchester

MANCHESTER, WILLIAMS & SEIBERT  
Attorneys for Defendant Peter A. Frankl

/s/

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Richard Marmaro

Robert J. Herrington

SKADDEN, ARPS, SLATE,

MEAGHER & FLOM LLP  
Attorneys for Defendant Thomas A. Skoulis

1 IT IS SO ORDERED.  
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Dated: 5/31/07

  
5 Jeremy Fogel  
6 UNITED STATES DISTRICT JUDGE  
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